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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91177807
Party	Plaintiff 7-Eleven, Inc.
Correspondence Address	Charles R. Mandly, Jr. Foley & Lardner LLP 321 North Clark Street Chicago, IL 60610 UNITED STATES cmandly@foley.com, cfochler@foley.com, ptomailchicago@Foley.com, dcopland@foley.com
Submission	Opposition/Response to Motion
Filer's Name	David A. Copland
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Signature	/David A. Copland/
Date	04/08/2008
Attachments	91177807 Response to Motion to Extend.pdf ( 5 pages )(69126 bytes )

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

7-ELEVEN, INC.,	)
Opposer,	)
v.	Opposition No. 91177807
SUSAN B. BUCENELL,	)
Applicant.	)

### OPPOSER'S RESPONSE TO "CONSENTED MOTION TO **EXTEND DISCOVERY"**

Opposer, 7-Eleven, Inc. ("7-Eleven"), files this response to the "Consented Motion to Extend Discovery" of April 7, 2008 (hereinafter "Consent Motion"; attached as Exhibit 1) filed by applicant, Susan B. Bucenell. 7-Eleven files this response to clarify the Consent Motion.

On its face, the Consent Motion is represented as a motion by 7-Eleven; it is not. The Consent Motion was prepared and filed solely by Applicant. At Applicant's request, 7-Eleven merely has consented to her motion seeking an extension of the discovery period and other trial dates.

Respectfully submitted,

**FOLEY & LARDNER LLP** 

Tim Com

Date: April 8, 2008

Craig S. Fochler Charles R. Mandly, Jr. David A. Copland 321 North Clark Street, 29<sup>th</sup> Floor

Chicago, Illinois 60610

Attorneys for Opposer, 7-Eleven, Inc.

## **CERTIFICATE OF SERVICE**

I, David A. Copland, counsel for Opposer, hereby certifies that a copy of OPPOSER'S RESPONSE TO APPLICANT'S MOTION TO EXTEND THE DISCOVERY PERIOD was served on this 8th day of April, 2008 via first class mail, postage prepaid, upon Applicant at:

Ms. Susan B. Bucenell 30623 Bittsbury Ct. Wesley Chapel, FL 33543-3921

David A. Copland

Our Com

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

7-ELEVEN, INC.,

Opposer,

v.

Opposition No. 91177807

SUSAN B. BUCENELL,

Applicant.

#### **CONSENTED MOTION TO EXTEND DISCOVERY**

Opposer, 7-Eleven, Inc., in accordance with the Rule 2.121 of the Trademark Rules and Practice, with the consent of Applicant Susan B. Bucenell, hereby moves this Honorable Board that the discovery period and all subsequent trial dates in the above proceeding be extended one-hundred-twenty (120) days as follows:

THE PERIOD FOR DISCOVERY TO CLOSE: August 26, 2008

30-day testimony period for party in

position of plaintiff to close: November 24, 2008

30-day testimony period for party in

position of defendant to close: January 23, 2009

15-day rebuttal testimony period to close: March 9, 2009

Opposer has served discovery requests on Applicant in this matter and the

parties have engaged in correspondence and discussions concerning Applicant's

responses thereto. Applicant has served discovery requests on Opposer in this matter

and the the Applicant is preparing responses concerning the Opposer's responses

thereto. Applicant is acting pro se and requires additional time in which to prepare

and respond to Opposer's requests, as well as prepare a response to the Opposer's

responses.

This extension is requested to enable the parties to complete essential

discovery.

Following an email message from the Applicant to the counsel for the Opposer,

a telephone message was left on March 4, 2008 for the Applicant, Susan B. Bucenell,

by the counsel for the Opposer, David A. Copland, consenting to this request for this

extension of time.

Susan B. Bucenell

Healthy Gulp

Date: April 7, 2008

Original Signed

Susan B. Bucenell Healthy Gulp

30623 Bittsbury Court

Wesley Chapel, FL. 33543

Pro Se for Healthy Gulp

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## **CERTIFICATE OF SERVICE**

I, Susan B. Bucenell, Applicant, hereby certifies that a copy of CONSENTED

MOTION TO EXTEND DISCOVERY was served on this 7th day of April, 2008

via first class mail, postage prepaid, upon counsel for the Opposer at:

FOLEY & LARDNER David A. Copland 321 North Clark Street, 29th Floor Chicago, Illinois 60610

Original Signed
Susan B. Bucenell